

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**CIVIL NO. 3:02CV66
(3:97CR22-9)**

IVEY WALKER,)
)
 Petitioner,)
)
 Vs.)
)

)
 UNITED STATES OF AMERICA,)
)
 Respondent.)

)

J U D G M E N T

For the reasons stated in the Memorandum of Opinion filed herewith,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Petitioner's motion to vacate, set aside, or correct judgment pursuant to 28 U.S.C. § 2255 is **GRANTED IN PART AND DENIED IN PART**; the Petitioner's conviction remains intact, but his sentence on Count Four to life imprisonment is hereby **VACATED**.

The Clerk is directed to prepare an amended Judgment of Conviction reflecting that the Petitioner's sentence on Count Four is 240 months imprisonment to run concurrently with the sentence on Count Five of 240 months imprisonment. The provision for supervised release as to Count

Four shall be amended to three years to run concurrently with the period of supervised release on Count Five of three years. All other terms and provisions of the original Judgment shall remain the same and in full force and effect.

Petitioner is hereby placed on notice that no future motion pursuant to 28 U.S.C. § 2255 may be filed absent permission from the United States Fourth Circuit Court of Appeals.

Signed: August 14, 2006

A handwritten signature in black ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

